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1970/05/15

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L I M D I S

SUBJ: Note to PRC on Procedures for Hijacked Civil Aircraft

REF : A) State 59974; Civ 12 US
 B) State 63278 to Tokyo. (120) 17 US

1. Dept believes for obvious reasons that American civil aircraft should avoid entering Chinese Communist air space if it is at all feasible. However, if emergency situation such as hijacking does not permit diversion to alternate non-Communist destination, some agreement, actual or tacit, is required regarding procedures to be followed to minimize risk that aircraft would be shot down by PRC air defense units.

DRAFTED BY: EA/ACA:DMAnderson;
 ECBennett; EA/RA:JMGammon

DRAFTING DATE: 4-28-70

TEL EXT: 21436

APPROVED BY: J - Ambassador Johnson
 EA - Amb. Winthrop G. Brown

CLEARANCES: EA/ACA - Mr. Kreisberg EA/TB - Mr. Bergeron EA/ANZ - Mr. Brower
 EA/VN - Mr. Moffett EA/K - Miss Barber EA/ROC - Mr. Shoemith
 EA/J - Mr. Finn L/SCA - Mr. Malmberg L/EA - Mr. Stern
 DOD/ISA - Mr. Ware DOD/JCS - Adm. Eades
 EUR - Miss Tibbetts WH - Mr. Grant
 E/OA/AVP - Mr. Feehan
 FAA - Mr. Shaffer para 4

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Submission to PRC of proposed procedures note, even if it does ~~not~~ not elicit concurrence or other meaningful reaction, should have this effect. Dept therefore is authorizing delivery of following note to PRC Charge in Warsaw. Procedures outlined in fourth paragraph of note have been approved by FAA.

2. BEGIN TEXT:

Dear Mr. Charge d'Affaires:

The problem of the unlawful seizure and diversion of aircraft (hijacking) and other acts of armed interference with international civil aviation is a problem of growing concern for all governments. Recently, two hijackings have occurred in Asia near the borders of the People's Republic of China. The possibility exists that similar acts may occur in the future and ~~my~~ may involve an intrusion into or through the airspace of your country.

I am certain that both of our governments agree that

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hijacking is a particularly dangerous and irresponsible act, threatening the lives of many innocent persons. The primary concern of both of our two governments must be for the safety of the passengers and crew of the hijacked aircraft. For this reason, I suggest that our two governments agree on some means to identify hijacked aircraft and establish emergency procedures for communicating to the proper authorities of your Government their location, altitude, speed, intended destination and related matters.

I therefore wish to inform you of the interim procedures which we are advising American pilots to follow in the event a United States ~~passenger~~ passenger/cargo carrying aircraft is seized and directed either to your country or through your airspace. The following procedures are, of course, open to modification should ^{either} your or mine Government wish to make ~~any~~ alternative suggestions.

If it is possible to do so without jeopardizing the safety of the flight, the pilot of a hijacked American aircraft after departing from the cleared routing over which the aircraft

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was operating will attempt to do one or more of the following things, in so far as circumstances may permit: a) maintain a true airspeed of no more than 400 knots, and preferably an altitude of between 10,000 and 25,000 feet, b) fly a course toward the destination which the hijacker has announced, c) at appropriate intervals fly the international pattern for lost communication (left hand triangles), and d) transmit the international distress signal, MAY DAY, on any of the international distress frequencies available to him (243.0 MHZ, 121.5 MHZ, 2182 KHZ). If these procedures result in either radio contact or air intercept, the pilot will attempt to comply with any instructions received which may direct him to an appropriate landing field.

My Government would anticipate that, upon receipt of this information, the People's Republic of China would take steps to assure that the aircraft can land safely without any injury to the passengers and crew.

Should the aircraft be hijacked to a destination within the People's Republic of China, we naturally would

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also be concerned for the safe and prompt return of the passengers, crew and aircraft. My Government hopes that the authorities of your Government would facilitate their prompt and safe exit.

I would welcome any suggestions or proposals your Government may wish to make in this regard, either by letter at your convenience or at our next Ambassadorial-level meeting.

Sincerely,

Walter J. Stoessel, Jr.

END TEXT.

3. FOR WARSAW: Above note should be transmitted as soon as possible and Chinese reaction reported.
4. OTHER ADDRESSEES: Other action posts should inform host governments that we are conveying information in fourth paragraph and our reasons for doing so. Host governments may also be informed that FAA will be passing this information

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to interested American air carriers for dissemination to
air crews. Dept will inform posts when this is accomplished.
Please report any reactions of host governments.

GP-3.

END

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